

**Introduced by Senator Figueroa**  
(Coauthor: Assembly Member Laird)

February 24, 2006

---

An act to amend Section 2507 of the Business and Professions Code, relating to midwives.

LEGISLATIVE COUNSEL'S DIGEST

SB 1638, as introduced, Figueroa. Midwives: supervision.

Existing law, the Licensed Midwifery Practice Act of 1993, provides for the licensing of midwives by the Division of Licensing of the Medical Board of California. The act requires a licensed midwife to be supervised by a licensed physician and surgeon, but provides that the physical presence of the supervising physician and surgeon is not required. A violation of the act is a misdemeanor.

This bill would allow a client to refuse the supervision of a physician and surgeon if the refusal is informed and is on a written form prescribed by the division.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2507 of the Business and Professions
- 2 Code is amended to read:
- 3 2507. (a) The license to practice midwifery authorizes the
- 4 holder, under the supervision of a licensed physician and
- 5 surgeon, to attend cases of normal childbirth and to provide
- 6 prenatal, intrapartum, and postpartum care, including
- 7 family-planning care, for the mother, and immediate care for the
- 8 newborn.

(b) As used in this article, the practice of midwifery constitutes the furthering or undertaking by any licensed midwife, under the supervision of a licensed physician and surgeon who has current practice or training in obstetrics, to assist a woman in childbirth so long as progress meets criteria accepted as normal. All complications shall be referred to a physician and surgeon immediately. The practice of midwifery does not include the assisting of childbirth by any artificial, forcible, or mechanical means, nor the performance of any version.

(c) As used in this article, *the term* “supervision” shall not be construed to ~~require~~ *do either of the following:*

(1) *Require* the physical presence of the supervising physician and surgeon.

(2) *Prohibit a client from making a written informed refusal of physician and surgeon supervision of the client’s case, provided that the refusal is made on a form prescribed by the division.*

(d) The ratio of licensed midwives to supervising physicians and surgeons shall not be greater than four individual licensed midwives to one individual supervising physician and surgeon.

(e) A midwife is not authorized to practice medicine and surgery by this article.

(f) The board shall, not later than July 1, 2003, adopt in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), regulations defining the appropriate standard of care and level of supervision required for the practice of midwifery.